

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office _____ OCT 28 1997
 Returned to applicant for correction _____ JAN 06 1998
 Corrected application filed _____
 Map filed _____ OCT 28 1997

The applicant **United States of America, Fish and wildlife Service**, hereby makes application for permission to change the place of use of a portion of water heretofore appropriated under **Truckee Carson Irrigation District Serial Nos. 6-A-1, 6-A-2, 6-A-3, 6-A-4, 13-1, 13-2, 13-3 and 20; United States of America v. Orr Ditch Co. in Equity No. A-3, Claim No. 3; United States of America v. Alpine Land and Reservoir Co., No. D-183 BRT; both in the Federal District Court of Nevada.**

1. The source of water is **Truckee and Carson Rivers**
2. The amount of water to be changed **1,238.76 acre-feet (414.30 acres @ 2.99 acre-feet/acre)**
3. The water to be used for **Maintenance of Wetlands for Recreation and Wildlife/Storage**
4. The water heretofore permitted for **As decreed.**
5. The water is to be diverted at the following point **Lahontan Dam, being within the SW¼ SE¼, Section 33, T19N, R26E, M.D.B.&M.**
6. The existing permitted point of diversion is located within **No change.**
7. Proposed place of use **77,364 acres, more or less, as described in Exhibit A, and as shown on the map for Permit No. 57748, which map is incorporated by reference, and 5,427 acres, more or less, as described in Exhibit B, and as shown on the map for Permit No. 55996, which map is incorporated by reference.**
8. Existing place of use **38.56 acres in the SE¼ SW¼, 37.74 acres in the NE¼ SW¼, 23.08 acres in the NW¼ SE¼, 21.91 acres in the NE¼ SE¼, 21.22 acres in the SW¼ SE¼, 9.58 acres in the SE¼ SE¼, Section 12, and 35.48 acres in the NW¼ NE¼, 16.12 acres in the NE¼ NE¼, 36.74 acres in the NE¼ NW¼, 16.74 acres in the SE¼ NW¼, 29.00 acres in the NW¼ SW¼, 20.00 acres in the NE¼ SW¼, 37.68 acres in the SE¼ SW¼, 37.34 acres in the SW¼ SE¼, Section 13, and 21.11 acres in the NE¼ NW¼ and 12.00 acres in the SE¼ NW¼, Section 24, all in Township 17 North, Range 28 East, M.D.M.**
9. Use will be from **As decreed** to _____ of each year.
10. Use was permitted from **As decreed** to _____ of each year.
11. Description of proposed works **No new diversion or storage works on the Truckee River and the Carson River will be constructed.**
12. Estimated cost of works **N/A**
13. Estimated time required to construct works **N/A**
14. Estimated time required to complete the application of water to beneficial use **1 year**

63536-T

15. Remarks: The water that is the subject of this application will be used either at Stillwater National Wildlife Refuge or Carson Lake, or at both places, during the 1998 irrigation season.

By s/Richard Grimes
Richard Grimes, Realty Specialist
U.S. Fish and Wildlife Service
P.O. Box 1236
Fallon, NV 89407-1236

Compared cms/bk

Protested _____

OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

WITHDRAWN BY APPLICANT AUG 11 1998
Richard Grimes cms
STATE ENGINEER

EXHIBIT A

PROPOSED PLACE OF USE
APPLICATION TO CHANGE NEWLANDS PROJECT WATER RIGHT

A proposed place of use is the Stillwater National Wildlife Refuge, consisting of 77,364 acres, more or less, in:

Township 21 North, Range 32 East, Mount Diablo Meridian

Section 2, all;
Section 3, all;
Section 4, all;
Section 5, all;
Section 6, all;
Section 7, all;
Section 8, all;
Section 9, all;
Section 10, all;
Section 11, all;
Section 14, all;
Section 15, all;
Section 16, all;
Section 17, all;
Section 18, all;
Section 19, all;
Section 20, all;
Section 21, all;
Section 22, all;
Section 27, all;
Section 28, all;
Section 29, all;
Section 30, all;
Section 31, all;
Section 32, all;
Section 33, all;
Section 34, all;

Township 21 North, Range 31 East, Mount Diablo Meridian

Section 1, all;
Section 2, all;
Section 3, all;
Section 4, all;
Section 5, all;
Section 6, all;
Section 7, Lot 1, Lot 2, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$;
Section 8, all;
Section 9, E $\frac{1}{2}$, N $\frac{1}{2}$ NW $\frac{1}{4}$;
Section 10, all;

Township 21 North, Range 31 East, Mount Diablo Meridian (cont'd)

Section 11, all;
Section 12, all;
Section 13, all;
Section 14, all;
Section 15, all;
Section 16, all;
Section 17, S½;
Section 18, all;
Section 19, Lot 3, Lot 4, E½SW¼, SE¼;
Section 20, all;
Section 21, all;
Section 22, all;
Section 23, all;
Section 24, all;
Section 25, all;
Section 26, all;
Section 27, all;
Section 28, all;
Section 29, all;
Section 30, all;
Section 31, all;
Section 32, all;
Section 33, all;
Section 34, all;
Section 35, all;
Section 36, all;

Township 20 North, Range 32 East, Mount Diablo Meridian

Section 3, all;
Section 4, all;
Section 5, all;
Section 6, all;
Section 7, all;
Section 8, all;
Section 9, all;
Section 10, all;
Section 16, all;
Section 17, all;
Section 18, all;
Section 19, all;
Section 20, all;
Section 21, all;
Section 29, all;
Section 30, all;

Township 20 North, Range 31 East, Mount Diablo Meridian

Section 1, all;
 Section 2, Lot 1, Lot 2, Lot 3, Lot 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$;
 Section 3, all;
 Section 4, all;
 Section 5, Lot 1, Lot 2, Lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$,
 SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Section 6, all;
 Section 7, Lot 1, Lot 2, Lot 3, Lot 4, E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
 NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Section 8, S $\frac{1}{2}$, NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$, NW $\frac{1}{4}$;
 Section 9, all;
 Section 10, N $\frac{1}{2}$, SW $\frac{1}{4}$;
 Section 11, E $\frac{1}{2}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Section 12, all;
 Section 13, all;
 Section 14, all;
 Section 18, Lot 1, Lot 2, Lot 3, Lot 4;
 Section 19, Lot 1, Lot 2, Lot 3, Lot 4;
 Section 22, E $\frac{1}{2}$;
 Section 23, all;
 Section 24, all;
 Section 25, all;
 Section 26, all;
 Section 27, E $\frac{1}{2}$, SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Section 28, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Section 30, Lot 1, Lot 2, Lot 3, Lot 4;
 Section 33, E $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Section 34, all;
 Section 35, all;
 Section 36, all;

Township 19 North, Range 31 East, Mount Diablo Meridian

Section 2, all;
 Section 3, all;
 Section 4, Lot 1, Lot 2, Lot 3, SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
 SE $\frac{1}{4}$;
 Section 7, Lot 4 East of Stillwater Slough in Parcel 1;
 Section 9, all;
 Section 10, all;
 Section 11, all;
 Section 14, all;
 Section 15, all;
 Section 16, all;
 Section 17, E $\frac{1}{2}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Section 18, Lot 1 East of Stillwater Slough in Parcel 1, Lot 2 in Parcel 1,
 Lot 3 in Parcel 1, Lot 4 in Parcel 1, SE $\frac{1}{4}$ NW $\frac{1}{4}$ in Parcel 1,
 E $\frac{1}{2}$ SW $\frac{1}{4}$ in Parcel 1, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Section 19, Lot 1 in Parcel 1, Lot 2 in Parcel 1, Lot 3, Lot 4, E $\frac{1}{2}$ NW $\frac{1}{4}$,
 E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$;

Township 19 North, Range 31 East, Mount Diablo Meridian (cont'd)

Section 20, all;
Section 21, all;
Section 22, all;
Section 27, all;
Section 28, all;
Section 29, all;
Section 30, all;
Section 31, all;
Section 32, all;
Section 33, all;

Township 19 North, Range 30 East, Mount Diablo Meridian

Section 13, E $\frac{1}{2}$ E $\frac{1}{2}$, east of Stillwater Slough in Parcel 1;
Section 24, NE $\frac{1}{4}$ NE $\frac{1}{4}$ in Parcels 1 and 3, W $\frac{1}{2}$ NE $\frac{1}{4}$ in Parcel 3, E $\frac{1}{2}$ NW $\frac{1}{4}$
in Parcel 3

as shown on the supporting map for Permit No. 57748.

EXHIBIT B

**PROPOSED PLACE OF USE
APPLICATION TO CHANGE NEWLANDS PROJECT WATER RIGHT**

A proposed place of use is Carson Lake, consisting of 5,427 acres, more or less, within Sections 10, 11, 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 27, 28, 29, 32, 33 and 34, Township 17 North, Range 29 East, Mount Diablo Meridian, as shown on Sheet 2 of 2, Permit No. 55996.